

**BOROUGH OF ROCKY HILL  
COUNCIL MINUTES  
November 6, 2006**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor George Morren at 7:30 PM. Mayor Morren led the Pledge of Allegiance to the Flag followed by a moment of silent meditation. Mayor Morren stated that the meeting has been properly advertised in the December 17, 2005, issue of the Somerset Messenger Gazette and is being held in accordance with the Open Public Meetings Act.

Roll Call: Mr. Brian Griner-present, Mr. Brad Merritt, Ms. Eileen Uhrik, Mr. Jared Witt, Mr. Edward Zimmerman-present.

Absent: Mr. Richard Batchelder

Also present: Deputy Borough Clerk Raymond Whitlock, Borough Attorney Albert Cruz, Borough Engineer William Tanner, Borough Auditor Bob Morrison.

**APPROVAL OF MINUTES**

Regular Minutes – October 16, 2006 – Motion was made by Merritt with a second by Uhrik to approve the minutes as presented. Motion carried on roll call vote – all ayes.

**PUBLIC COMMENTS**

Marge Yuschak, 55 Washington St. – Ms. Yuschak requested a copy of the list of sidewalks in need of repair as compiled by Engineer Tanner. She expressed her appreciation to Councilman Griner for advising her that she was not on the list of priority repairs.

Mayor Morren advised that subsequent to the list being prepared, the contractor declined the request to do the priority repairs requested at this time. Mayor Morren urged that the Council for 2007 develop a routine maintenance program with the Engineer to address these outstanding repairs.

Bob Crowe, 9 Montgomery Ave. – Mr. Crowe was advised that questions raised about the impending election would not be addressed at the Borough Council meeting.

Courtney White, resident, expressed appreciation to the Fire Department, Rescue Squad, and Councilman Griner (in obtaining NJSP coverage) for ensuring safety for the children on Halloween night.

Hearing no other comments/questions, the floor was closed to the public.

**ENGINEER'S REPORT**

Report dated November 2, 2006, for October 2006 was received and distributed (copy of file in the Borough Clerk's Office). The following items were discussed:

The Princeton Ave. sidewalks and Montgomery Ave. improvements have been completed with the exception of some punch list items.

Princeton Gamma Tech – Engineer Tanner will follow-up on information obtained through Larry Merk that CAPE Environmental would no longer be monitoring the well as per instruction from the EPA and Army Corp.

County Park Project – Negotiations for miscellaneous equipment is to begin. Engineer Tanner is still awaiting estimated figures for the maintenance of the park for next year from Montgomery Township.

Brush and Tree Limb Removal was scheduled last week. Leaf collection is underway.

Solicitation of bids for snow removal will be sent out. It was noted that the contractor should be aware that local residents will also want to retain the services of the contractor in addition to the Borough.

A site plan was provided for the proposed project by ARC depicting the existing and new plantings to be done in relation to the expansion of the parking lot. Discussion ensued as to whether the Borough is willing to sell or lease the parcel that will be needed by ARC to complete this project. It was agreed that a resolution be adopted at the next meeting giving consent to ARC to appear before the Planning Board for approval of the site plan application. A decision as to whether the Borough will lease or sell the property will be made (through adoption of ordinance) upon approval being granted by the Planning Board.

There were no public comments/questions.

**APPROVAL OF VOUCHERS TO BE PAID**

In regard to question raised about Check #5473 to VanCleeef Engineering, Re: water department work (faulty water main work), Deputy Clerk Whitlock will research the charge further to ascertain if a transfer should be done internally relevant to this charge. Motion to approve the bill list contingent upon

clarification of this charge was made by Merritt with a second by Zimmerman. Motion carried on roll call vote – all ayes. (Appendix 1)

### **DEPARTMENTAL REPORTS**

Motion was made by Merritt with a second by Zimmerman to accept the Tax Collector's Report for October 2006. Motion carried on roll call vote – all ayes.

**COMMITTEE REPORTS** – carried to the November 20, 2006 meeting as directed by Mayor Morren.

### **SPECIAL BUSINESS**

**Presentation of Borough Audit** – Years Ended December 31, 2005 and 2004 – Auditor Morrison appeared before Mayor and Council providing a summary of the audit report for 2005. Auditor Morrison referenced the recent decrease in surplus same being used to offset the raising of taxes, the ability of the Borough to avoid the issuance of bonds, the continued increase in the Borough's tax collection rate, and the transition of the tax, utilities, and fund accounting systems to a newly procured software system. Two recommendations have been offered in the audit to include: all offices collecting Borough funds should prepare and submit monthly financial reports and that reports be made available for audit; and that a full encumbrance accounting system be implemented in accordance with State regulations. Auditor Morrison offered his opinion that the Borough does a good job managing the budgets. However, a decision needs to be made by the Borough as to whether monies should be spent to bring the Borough in conformance to State regulations by implementing a full encumbrance system. A corrective action plan will be prepared by CFO Bobal which will provide recommendations for compliance of the audit recommendations to include an estimate of cost for implementing a full encumbrance system. Resolution and group affidavit will be presented at the next meeting relative to the acceptance of the borough audit.

**Ordinance #9, 2006 – Introduction – ORDINANCE AMENDING THE DEFINITION OF STORAGE CHARGES ADOPTED IN ORDINANCE NO. 7, 2006, TITLED, AN ORDINANCE ESTABLISHING FOR THE LICENSING OF TOWING OPERATORS IN THE BOROUGH OF ROCKY HILL, AND TOWING AND STORAGE FEES** – The ordinance (as filed in the Borough Clerk's Office) was read by title. Motion to introduce was made by Merritt with a second by Griner. Motion carried on roll call vote – all ayes. Public hearing scheduled for December 4, 2006, at 7:30 PM in Borough Hall.

### **COAH Resolutions/Ordinances:**

**Resolution of Approval – Resolution endorsing the Housing Element and Fair Share Plan and Petitioning the NJ Council on Affordable Housing for Substantive Certification.** Motion was made by Merritt with a second by Griner for the adoption of the resolution as presented. Motion carried on roll call vote – all ayes.

**Resolution of Approval – Resolution requesting the review and approval from the NJ Council on Affordable Housing of a "Third Round" Development Fee Spending Plan.** Motion was made by Zimmerman with a second by Witt for the adoption of the resolution as presented. Motion carried on roll call vote – all ayes. Attorney Cruz advised that if in the future the Borough is no longer under the jurisdiction of COAH, the monies allocated in the plan must be spent in accordance with the plan (only for affordable housing purposes).

**Resolution of Approval – Resolution setting forth commitment to fund costs associated with the implementation of the Borough's Housing Element and Fair Share Plan.** Attorney Cruz provided a summary of the resolution. Motion was made by Merritt with a second by Witt for the adoption of the resolution. Motion carried on roll call vote – all ayes.

**Resolution of Approval – Resolution appointing the Municipal Housing Liaison for the Borough of Rocky Hill.** It was agreed that the Borough Clerk of the Borough of Rocky Hill be appointed as the Municipal Housing Liaison. The option of entering into an interlocal services agreement is available in the event the Borough wishes to pursue same in the future. Motion was made by Merritt with a second by Zimmerman for the adoption of the resolution as presented. Motion carried on roll call vote – all ayes.

**Draft Accessory Apartments Ordinance and Draft Updated Affordable Housing Regulations** – Attorney Cruz advised that these draft ordinances will be submitted to COAH for their review prior to adoption.

**Development Fee Ordinance Amendment – Response from COAH** – Attorney Cruz advised that COAH has approved the increase in fees as submitted by the Borough (1% and 2% fees). However, COAH has recommended some additional, technical changes to the ordinance. An inconsistency has also been noted in the language contained in the ordinance relative to fees imposed on improvements. Discussion ensued regarding exemptions for improvements. It was agreed that the development fee should only apply to new single family home construction (to include townhouses). Language in the ordinance will be amended to read, "additions to single family homes such as an expansion adding living space, decks, patios, and garages are exempt from the above fees." An amended ordinance will be presented for introduction at the November 20, 2006 meeting.

**COMMUNICATIONS:**

Communications as listed on the agenda disseminated and/or ordered filed.

**NEW BUSINESS:**

**Somerset County Community Development 2006-2007 Housing Rehabilitation Program -**

Participation by the Borough of Rocky Hill – Councilwoman Uhrik and Deputy Clerk Whitlock attended a meeting of the Somerset County Community Development Committee. It was recommended that the Borough participate in this program which will assist local residents. Motion was made by Merritt with a second by Griner authorizing the Borough's participation in the 2006-07 Housing Rehabilitation Program. Motion carried on roll call vote – all ayes.

**PUBLIC COMMENT**

Cliff Moore, resident, was provided with information on the Borough's affordable housing obligation (9 units through 2014) which includes obligation of the proposed Schafer/Pulte Tract development.

Peggy Harris, resident, was advised that a copy of the Environmental Impact Statement (listed under Communications) relative to Route 92 will be made available in the public library.

Hearing no other comments/questions, the floor was closed.

**ADJOURNMENT:**

Motion to adjourn the meeting at 8:40 PM was made by Merritt with a second by Zimmerman. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths, RMC  
Borough Clerk